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SERIAL NO.: 10/662,779
FILE DATE: September 15, 2003
TITLE: DISTRIBUTED INTERCONNECT

Examiner Steve Jones

FAX NO.: (571) 273-1762

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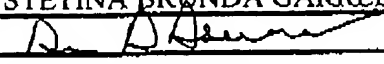
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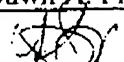
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/662,779
	Filing Date	09/15/2003
	First Named Inventor	Kent E. Peterson
	Art Unit	2817
	Examiner Name	Stephen E. Jones
Total Number of Pages in This Submission	Attorney Docket Number	NORTE-500A

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Election with Traverse (of 3 pages); Certificate of Mailing; and Retrun Postcard.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Bruce B. Brunda STETINA BRUNDA GARRED & BRUCKER - Customer No. 007663
Signature	
Date	September 15, 2004

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Typed or printed name	Dawn A. Privett
Signature	 Date September 15, 2004

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Application No.: 10/662,779
Response to Election of Species Requirement of August 31, 2004
Attorney Docket: NORTE-500A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Kent E. Peterson)	Confirmation No.	2186
)		
Serial No.:	10/622,779)	Art Unit:	2817
)		
Filed:	September 15, 2003)	Examiner:	Stephen E.
)		Jones
For:	Distributed Interconnect)		
)		

ELECTION WITH TRAVERSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's Election of Species Requirement of August 31, 2004, the time set for a response being one (1) month from the mailing date from the U.S. Patent and Trademark Office, i.e. September 30, 2004, Applicant hereby elects, with traverse, the species which is directed to Figure 2. Applicant notes that Claims 1-8 and 18-24 are believed to be readable on the elected species, and, as the Examiner has noted, Claims 1 and 18 are generic.

The above elections are made with traverse for the reasons set herein below.

In the official action of August 31, 2004 the Examiner asserted that the application contains claims directed to distinct species including:

<u>SPECIES</u>	<u>FIGURES</u>
I.	2;
II.	3;
III.	5;
IV.	7;
V.	9; and

Application No.: 10/662,779
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VI.

10.

The Examiner has required an election of one of the aforementioned species.

Applicant respectfully submits that the Examiner has omitted one (1) of the two (2) criteria for a proper restriction requirement now established by the U.S. Patent and Trademark Office policy. That is, as set forth in MPEP §803, "An appropriate explanation" must be advanced by the Examiner as to the existence of a "serious burden" if the restriction requirement were not required.

While the Examiner has alleged a possible distinction between the identified species, the Examiner has not shown that a concurrent examination of species, would present a "serious burden". Applicant respectfully submits that the search for the combination of features recited in the claims of the individual species, if not totally co-extensive, would appear to have a very substantial degree of overlap. Because the search for each species of invention is substantially the same, Applicant submits that no undue or serious burden would be presented in concurrently examining Species 1-6. Thus, for the above-noted reasons, in consistent with the office policy set forth above in MPEP §803, Applicant respectfully request that the Examiner reconsider and withdraw the species requirement in this application.

Furthermore it is noted that Species I, Figure 2 and Species III, Figure 5 are merely variants of similar embodiments thus at a minimum, Applicant requests the Examiner to consider Figures 2 and 5 to be the same species.

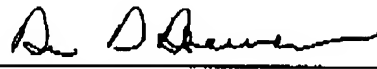
For all of the above reasons, the Examiner election of species is believed to be improper. Nevertheless, Applicant has elected, with traverse, the invention defined by Figure 2, i.e. Claims 1-8 and 18-24, in which at least Claim 1 and 18 are generic, in the event that the Examiner chooses not to reconsider and withdraw the election of the instant species requirement.

Should the Examiner have any questions or comments, the Examiner is invited to contact the undersigned at the telephone listed below.

Application No.: 10/662,779
Response to Election of Species Requirement of August 31, 2004
Attorney Docket: NORTE-500A

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Respectfully submitted,

Date: September 15, 2004 By: 
Customer No.: 007663
Bruce B. Brunda
Registration No. 28,497
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75 Enterprise, Suite 250
Aliso Viejo, California 92656
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Docket Number: NORTE-500A

Serial No.: 10/662,779

Filing Date: 09/15/2003

Title: DISTRIBUTED INTERCONNECT

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